



**CITY OF MORGAN HILL
17555 PEAK AVENUE
MORGAN HILL, CALIFORNIA 95037**

MORGAN HILL CORPORATION YARD COMMISSION

ACTION MINUTES

SPECIAL MEETING

WEDNESDAY, SEPTEMBER 11, 2002

Coyote Creek Golf Club
Lobby
One Coyote Creek Drive
San Jose, California

Chairperson
Vice Chairperson
Commission Member
Commission Member
Commission Member

Roger Knopf
Del Foster
Greg Sellers
George Panos
Hedy Chang

5:35 P. M.

CALL TO ORDER

(Chairperson Knopf)

5:35 P. M.

ROLL CALL ATTENDANCE

**Present: Chairperson Knopf & Commissioners Sellers, Panos, & Foster; absent: Commissioner Chang
Staff present: Ashcraft, Reza, & Branco**

DECLARATION OF POSTING OF AGENDA

Per Government Code 54954.2

PUBLIC COMMENTS

None

The Morgan Hill Corporation Yard Commission welcomes comments from all individuals on any agenda item being considered by the Commission. Please complete a Speaker Card and present it to the Secretary. This will assist

the Board Members in hearing your comments at the appropriate time. In the interest of brevity and timeliness and to ensure the participation of all those desiring an opportunity to speak, comments presented to the Commission are limited to **Three Minutes**. We appreciate your cooperation. **NOW IS THE TIME FOR COMMENTS FROM THE PUBLIC REGARDING ITEMS NOT ON THIS AGENDA.**

BUSINESS:

1. **MINUTES OF MAY 14, 2002**
Recommended Action: Approve
Approved the minutes of May 14, 2002
2. **ACCEPTANCE OF THE REMEDIATION EQUIPMENT/SOIL VAPOR & GROUNDWATER TREATMENT SYSTEM**
Recommended Actions:
1) Accept as complete the Remediation Equipment/Soil Vapor & Groundwater Treatment System in an amount of \$309,000.
2) Direct the Commission Representative to file the attached Notice of Completion with the County Recorder's office.
Mr. Ashcraft presented the staff report. The Commission unanimously accepted the Remediation Equipment/Soil Vapor Groundwater Treatment System as complete and directed the Commission Representative to file the Notice of Completion with the County Recorder's office.
3. **AMENDMENT TO PROFESSIONAL SERVICES CONTRACT WITH SCS ENGINEERS FOR CONSULTING SERVICES ASSOCIATED WITH THE NEW SOIL VAPOR AND GROUNDWATER TREATMENT SYSTEM AND QUARTERLY MONITORING & REPORTING FOR THE CALENDAR YEAR 2002**
Recommended Action:
Authorize the Chairperson to execute a professional services contract with SCS Engineers for consulting services associated with the new soil vapor and groundwater treatment system and quarterly monitoring & reporting for calendar year 2002 in an amount not exceed \$30,500.
Mr. Ashcraft presented the staff report. The Commission unanimously authorized the Chairperson to execute the agreement with SCS Engineers in an amount not to exceed \$30,500.
4. **STATUS OF STATE FUEL TANK CLEAN-UP REIMBURSEMENTS**
Recommended Action: Discuss
Ms. Reza presented a verbal staff report concerning the status of the Commission's latest claim to the State for reimbursement of clean-up costs. She explained that the State had approved, in writing, the authorization of a payment for an additional \$819,176 to the Commission. She further explained that the only items on the latest claim to the State that were not approved for reimbursement related to duplicate claimed costs.

A discussion ensued in which Commissioners requested future agenda items for 1) the split of fuel tank clean-up related costs between the City of Morgan Hill and the Morgan Hill Unified School District; 2) the monitoring of the fuel system related to the fuel tank clean-up; and 3) an update from the Commission attorney concerning the lawsuit related to the fuel tank clean-up.

ADJOURNMENT

Adjourned at 5:58 P.M.; the next meeting to be scheduled.

OPEN PUBLIC COMMENT PERIOD (3 MINUTES)

Following the opening of Commission business, the public may present comments on items **NOT** appearing on the

agenda that are within the Commission's jurisdiction. Should your comments require Commission action, your request will be placed on the next appropriate agenda. No Commission discussion or action may be taken until your item appears on a future agenda. You may contact the Commission Secretary for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your presentation to three (3) minutes.

SPEAKER CARDS

In accordance with Government Code 54953.3 it is not a requirement to fill out a speaker card in order to speak to the Commission. However, it is very helpful to the Commission if you would fill out the speaker card that is available on the counter in the Commission Chambers. Please fill out a card and return it to the Commission Secretary. As your name is called by the Mayor, please walk to the podium and speak directly into the microphone. Clearly state your name and address and then proceed to comment on the agenda item. Please limit your remarks to 3 minutes.

NOTICE

AMERICANS WITH DISABILITY ACT (ADA)

The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.

If assistance is needed regarding any item appearing on the Commission agenda, please contact the Office of the City Clerk at City Hall, 17555 Peak Avenue or call 779-7259 or (Hearing Impaired only - TDD 776-7381) to request accommodation.